

REMARKS

Initially, in the Office Action the Examiner has rejected claims 16 and 26 under 35 U.S.C. §101. Claims 1, 4-6, 8, 9, 11-16, 19-21, 23, 24, 26-30 and 32-36 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2005/0054333 (Johnson) in view of U.S. Patent Application Publication No. 2006/0148457 (Borella). Claims 7, 10, 22, 25, 31 and 37 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of Borella and U.S. Patent No. 5,689,547 (Molne).

By the present response, Applicant has amended the specification and claim 1 to further clarify the invention. Claims 1, 4-16 and 19-37 remain pending in the present application.

35 U.S.C. § 101 Rejections

Applicant has amended the specification to further clarify the invention and respectfully requests that these rejections be withdrawn.

35 U.S.C. § 103 Rejections

Claims 1, 4-6, 8, 9, 11-16, 19-21, 23, 24, 26-30 and 32-36 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson and Borella. Applicant respectfully traverses these rejections.

Applicant submits that Borella is an improper reference under 35 U.S.C. § 103. Borella has a priority and filing date of December 30, 2004. The present application was filed April 20, 2004. The present application was filed before the filing date of Borella and, therefore, Borella is an improper reference under 35 U.S.C. § 103 and cannot properly be used against the claims in the present application. Applicant respectfully requests that this reference be withdrawn. Accordingly, Applicant will not consider the Examiner's arguments against the claims of the present application that are based on disclosure in the Borella reference.

Regarding claims 1, 11, 16, 26 and 32, Applicant submits that Johnson does not disclose or suggest the limitations in the combination of each of these claims of the present application. For example, Applicant submits that Johnson does not disclose or

suggest the detecting the requested number returned from the information service comprising using voice recognition algorithms to parse the audible response returned from the information service into a series of numbers that comprise the requested phone number. The Examiner admits that Johnson does not disclose or suggest these limitations. As noted previously, Borella is an improper reference for assertion against the claims of the present application.

Moreover, Applicant submits that Johnson does not disclose or suggest detecting that a number of the called information service is stored in a predetermined table of information service numbers, or activating a process for detecting and storing a received phone number responsive to the detecting the number of the called information service being stored in the predetermined table of information service numbers. As noted previously, Johnson merely discloses sending an identification of a party and receiving a download of a telephone number or other data and storing the telephone number or data. This is not detecting that a number of the called information service is stored in a predetermined table of information service numbers, or activating a process for detecting and storing a received phone number responsive to the detecting the number of the called information service being stored in the predetermined table of information service numbers, as recited in the claims of the present application. Paragraphs 31 and 32 of Johnson as asserted by the Examiner do not disclose, suggest or render obvious these limitations in the claims of the present application. Johnson does not disclose or suggest a number of the called information service being stored in a predetermined table of information service numbers or activating a process for detecting and storing a received phone number responsive to the number being stored.

Regarding claims 4-6, 8, 9, 12-15, 19-21, 23, 24, 27-30 and 33-36, Applicant submits that these claims are dependent on one of independent claims 1, 11, 16, 26 and 32 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicant submits that Johnson does not disclose or suggest the limitations in the combination of each of claims 1, 4-6, 8, 9, 11-16, 19-21, 23, 24, 26-30

and 32-36 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

35 U.S.C. § 103 Rejections

Claims 7, 10, 22, 25, 31 and 37 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Johnson in view of U.S. Patent No. 5,943,611 (Molne). Applicant respectfully traverses these rejections.

Applicant submits that claims 7, 10, 22, 25, 31 and 37 are dependent on one of independent claims 1, 16, 26 and 32 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims. Applicant submits that Molne does not overcome the substantial defects noted previously regarding Johnson.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 7, 10, 22, 25, 31 and 37 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

Conclusion

In view of the foregoing amendments and remarks, Applicant submits that claims 1, 4-16 and 19-37 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner has any questions about the present amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

Thomas David Snyder
(Applicant)

Date: April 14, 2008
By: 
Frederick D. Bailey
Registration No. 42,282
Moore & Van Allen PLLC
P.O. Box 13706
Research Triangle Park, N.C. 27709
Telephone: (919) 286-8000
Facsimile: (919) 286-8199